



General Assembly

January Session, 2017

Raised Bill No. 7285

LCO No. 5257



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING COMPLAINTS THAT ALLEGE MISCONDUCT
BY LAW ENFORCEMENT AGENCY PERSONNEL.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 7-294bb of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2017*):

3 (a) Not later than July 1, 2015, the Police Officer Standards and
4 Training Council shall develop and implement a written policy
5 concerning the acceptance, processing and investigation of a complaint
6 from a member of the public relating to alleged misconduct committed
7 by law enforcement agency personnel.

8 (b) In developing the written policy, the council shall consider: (1)
9 Whether all sworn officers and civilian employees of a law
10 enforcement agency shall be required to accept a complaint alleging
11 misconduct by the agency's law enforcement personnel, (2) the means
12 or processes to be used for accepting such complaint from a member of
13 the public, including the acceptance of an anonymous complaint or a
14 complaint made by a complainant on behalf of another person, (3) the

15 necessity of requiring a sworn statement from a complainant, (4)
16 protections that may be afforded to a complainant who fears
17 retaliation associated with the filing of such complaint, (5) the use of a
18 standardized form to record such complaint, (6) permissible time
19 frames associated with the filing of such complaint, (7) protocols for
20 the investigation of such a complaint, (8) documentation requirements
21 relating to the receipt of such complaint and its disposition, and (9) the
22 process for informing a known complainant of the disposition of such
23 complaint.

24 (c) Upon the implementation of such policy by the Police Officer
25 Standards and Training Council, each law enforcement agency shall, in
26 consultation with a representative of a union that represents members
27 of the law enforcement agency, adopt the policy implemented by said
28 council or develop and implement an alternative policy that: (1)
29 Addresses the issues described in subsection (b) of this section, and (2)
30 exceeds the standards of the policy developed by said council. Upon
31 the adoption of the policy developed by the Police Officer Standards
32 and Training Council or the implementation of an alternative policy,
33 each law enforcement agency shall make its policy available to the
34 public and shall ensure that: (A) Copies of the policy are available at
35 the town hall or another municipal building located within the
36 municipality served by the law enforcement agency, other than a
37 municipal building in which the law enforcement agency is located,
38 and (B) the policy is available on the law enforcement agency's Internet
39 web site or the Internet web site of the municipality served by the law
40 enforcement agency.

41 (d) The Police Officer Standards and Training Council shall ensure
42 that each law enforcement agency is compliant with the provisions of
43 subsection (c) of this section.

44 (e) Not later than February 1, 2018, the Police Officer Standards
45 Training Council shall report, in accordance with the provisions of
46 section 11-4a, on the implementation of its written policy concerning

47 the acceptance, processing and investigation of a complaint from a
 48 member of the public relating to alleged misconduct committed by law
 49 enforcement agency personnel to the joint standing committee of the
 50 General Assembly having cognizance of matters relating to the
 51 judiciary. Such report shall include, but not be limited to, (1) a copy of
 52 the policy adopted pursuant to subsections (a) and (b) of this section,
 53 (2) a copy of any standardized form used to record a complaint
 54 alleging misconduct by a law enforcement agency, (3) information
 55 detailing the adoption and publication of policies by law enforcement
 56 agencies pursuant to the provisions of subsection (c) of this section,
 57 and (4) recommendations concerning the establishment of a
 58 mechanism that allows a member of the public to track (A) his or her
 59 own complaint alleging misconduct by a law enforcement agency, and
 60 (B) the overall filing of complaints alleging misconduct by members of
 61 a particular law enforcement agency.

62 [(d)] (f) For the purposes of this section, "law enforcement agency"
 63 means the Division of State Police within the Department of
 64 Emergency Services and Public Protection or any municipal police
 65 department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2017	7-294bb

Statement of Purpose:

To ensure compliance with the provisions of section 7-294bb of the general statutes concerning the acceptance, processing and investigation of a complaint from a member of the public relating to alleged misconduct committed by law enforcement agency personnel.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]